IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

WP(C).No. 19316 of 2004(Y)

AGAINST THE ORDER IN IA.1268/2003 IN
OP.10/1994 of PRL.SUB COURT, KOZHIKODE

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PETITIONER:

UNION OF INDIA,
REP. BY THE EXECUTIVE ENGINEER,
CALICUT CONTROL DIVISION, CENTRAL PUBLIC WORKS DEPARTMENT, CALICUT.

BY ADV. SRI.A.SUDHI VASUDEVAN, ADDL.CGSC

RESPONDENTS:

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1. C.K.JACOB (POWER OF ATTORNEY HOLDER OF K.P.PAULOSE), `JASILA PARK', CHERUVANNUR AMSOM, DESOM, KOZHIKODE TALUK.

2. C.P.PAUL,
RESIDING AT KODAYIRUPPU, P.O. KOLANCHERY, ERNAKULAM, RESIDING AT KODAYIRUPPU.

3. C.P.SUSAN,
RESIDING AT KODAYIRUPPU, P.O. KOLANCHERY, ERNAKULAM.

4. K.P.MARY,
RESIDING AT KODAYIRUPPU, P.O. KOLANCHERY, ERNAKULAM.

5. A.ANNIE,
RESIDING AT KODAYIRUPPU, P.O. KOLANCHERY, ERNAKULAM.

6. VALSA JACOB,
RESIDING AT KODAYIRUPPU, P.O. KOLANCHERY, ERNAKULAM.

7. V.NAINANI,
ARBITRATOR, MINISTRY OF URBAN DEVELOPMENT,
JANPATH BHAVAN, NEW DELHI.

(RESPONDENTS 3 TO 6 ARE DELETED FROM THE ARRAY OF PARTIES AS PER ORDER DATED 21.2.2005 ON WPC)

BY ADV. SRI.P.V.KUNHIKRISHNAN
SRI.M.C.SEN
SRI.M.P.SREEKRISHNAN
SMT.SHAHNA KARTHIKEYAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO. 19316/2004

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE AWARD DATED 31.3.1999 PASSED BY THE ARBITRATOR.

EXT.P2: COPY OF O.P. 10/94 FILED BY THE PETITIOENR

EXT.P3: COPY OF THE ORDER OF THE SUB COURT KOZHIKODE DATED 31.1.2004 IN I.A. 1268/03 IN O.P.10/94

EXT.P4: COPY OF THE AFFIDAVIT IN SUPPORT OF THE PETITION FOR AMENDMENT DATED 17.2.2004 FILED BY THE WRIT PETITION BEFORE THE SUB COURT, KOZHIKOE IN OP 10/94.

/TRUE COPY.

P.A. TO JUDGE

PIUS C. KURIAKOSE, J.

W.P.(C) NO. 19316 of 2004

Dated this the 27th day of June , 2007

JUDGMENT

Under the impugned order, the court below has only directed the petitioners to deposit the amounts as per the admissions in the Original Petition filed by them. I have already dismissed another writ petition filing by the petitioners (WPC 28651/2005) challenging the dismissal of an application for amendment of the original petition filed by the petitioners.

In view of that order there is absolutely no warrant for interfering with the impugned order.

The writ petition is dismissed.

PIUS C. KURIAKOSE,
JUDGE.

dpk